

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY CHECK NUMBER <b>2333-138</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <b>10/530,036</b>
INTERNATIONAL APPLICATION NO. <b>PCT/SE03/01503</b>	INTERNATIONAL FILING DATE <b>26 September 2003</b>	PRIORITY DATE CLAIMED <b>October 1, 2002</b>

TITLE OF INVENTION

**DETECTION OF IMPLANTED INJECTION PORT**

APPLICANT(S) FOR DO/EO/US

**FORSELL, Peter**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings).
  - b. ☐ has been communicated by the International Bureau.
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
  - a. ☐ is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings,        page Certificate of Translation).
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. a. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  
 b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. a. ☐ A FIRST preliminary amendment.  
 b. ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information. (1) Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); (2) Response to Requirement to Pay Additional Claims Fee; and (3) Copy of Preliminary Amendment, filed April 1, 2005.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/530,036</b>		INTERNATIONAL APPLICATION NO. <b>PCT/SE03/01503</b>		ATTORNEY'S DOCKET NUMBER <b>2333-138</b>	
<input type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>					
21. <input type="checkbox"/>	Basic national fee ..... \$300.00 (1631)/\$150.00 (2631)				\$
22. <input type="checkbox"/>	Examination Fee..... \$200.00 (1633)/\$100.00 (2633)				\$
23. <input type="checkbox"/>	Search Fee ..... \$100 (1641)/\$50 (2641)				
	..... \$400 (1642)/\$200 (2642)				
	..... \$500.00 (1632)/\$250.00 (2632)				\$
<b>TOTAL OF ABOVE CALCULATIONS</b>					\$ 0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
0 -100	0 /50 =	0.00		\$0.00 (1681) \$0.00 (2681)	
Surcharge of <b>\$130.00 (1617)/\$65.00 (2617)</b> for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED	# EXTRA	RATE	
Total Claims	22	minus 22 =	0 X	\$50.00 (1615)/	\$25.00 (2615)
Independent Claims	4	minus 4 =	0 X	\$200.00 (1614)	\$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					\$ 0.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of <b>\$130.00 (1618)</b> , for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					0.00
<b>TOTAL NATIONAL FEE =</b>					\$ 0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). <b>\$40.00 (8021)</b> per property					0.00
Fee for Petition to Revive Unintentionally Abandoned Application; <b>\$1500.00 (1453) / \$750.00 (2453)</b>					0.00
<b>TOTAL FEES ENCLOSED =</b>					\$ 0.00
a. <input type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input type="checkbox"/> <b>CREDIT CARD PAYMENT FORM ATTACHED.</b> e. <input checked="" type="checkbox"/> The entire content of International Application No. <b>PCT/SE03/01503</b> and any U.S. and foreign application(s) corresponding thereto, and _____, referred to in this application is/are hereby incorporated by reference in this application.					
<b>CORRESPONDENCE ADDRESS</b>					
Direct all correspondence to:					
<input checked="" type="checkbox"/> Customer Number:		<b>23117</b>			
Type Customer Number here					
Telephone: (703) 816-4000		<b>Robert A. Molan</b> <i>Robert A. Molan</i> NAME			
RAM:drt		<b>29,834</b> <b>August 17, 2005</b> REGISTRATION NUMBER Date			

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

FORSELL

Atty. Ref.: 2333-138

Serial No. 10/530,036

Group: Not Known

Filed: April 1, 2005

Examiner: Not Known

For: DETECTION OF IMPLANTED  
INJECTION PORT

August 17, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO REQUIREMENT TO PAY ADDITIONAL CLAIMS FEE**

The Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed from the USPTO on August 8, 2005 states that there is a fee due of "\$375.00 for 17 claims over 20."

This additional charge of \$375.00 for 17 additional claims over 20 claims is erroneous because there are only 22 claims pending in this application.

A Preliminary Amendment filed with this application on April 1, 2005 eliminated all of the multiple dependencies in the claims of this application, leaving only 22 claims pending in this application.

A copy of the Preliminary Amendment, filed on April 1, 2005, is attached for consideration by the USPTO employee(s) considering the response to the Notification of Missing Requirements.

FORSELL  
Serial No. 10/530,036

Since there are only 22 claims pending in this application, and since the fee for the two claims over 20 was paid at the time this application was filed, the \$715.00 fee paid at the time this application was filed is correct.

If the Director determines that the foregoing calculation is incorrect, the Director is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: Robert A. Molan  
Robert A. Molan  
Reg. No. 29,834

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,036	Peter Forsell	2333-138

INTERNATIONAL APPLICATION NO.

PCT/SE03/01503

IA. FILING DATE

PRIORITY DATE

09/26/2003

10/01/2002

23117

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

DOCKETED

CLT/MATTER #

2333-138

MAIL DATE

8/8/05

DUE DATE

Oct 8, 2005

FINAL DEADLINE

Mar 8, 2006

DOCKETED BY

Tm/BAB

CONFIRMATION NO. 2949

371 FORMALITIES LETTER



\*QC000000016719773\*

Date Mailed: 08/08/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/01/2005
- Copy of the International Search Report filed on 04/01/2005
- Copy of IPE Report filed on 04/01/2005
- Preliminary Amendments filed on 04/01/2005
- Information Disclosure Statements filed on 04/01/2005
- Small Entity Statement filed on 04/01/2005
- Request for Immediate Examination filed on 04/01/2005
- U.S. Basic National Fees filed on 04/01/2005
- Priority Documents filed on 04/01/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$375 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$375 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 375
  - \$375 for 17 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,036	PCT/SE03/01503	2333-138